

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Pending before the Court are Petitioner Sean Patrick Husband’s Petition for Writ of Habeas Corpus and United States Magistrate Judge Mark E. Aspey’s Report and Recommendation (“R&R”). (Docs. 1, 41.) The R&R recommends that the Court deny the Petition. (Doc. 41 at 38.) The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. (*Id.* at 38–39 (citing Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003))).

1 at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . .
2 require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R.
3 Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate
4 judge’s disposition that has been properly objected to.”). The Court has nonetheless
5 reviewed the R&R and finds that it is well-taken. The Court will accept the R&R and
6 deny the Petition. *See* 28 U.S.C. § 636(b)(1) (stating that the district court “may accept,
7 reject, or modify, in whole or in part, the findings or recommendations made by the
8 magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject, or modify
9 the recommended disposition; receive further evidence; or return the matter to the
10 magistrate judge with instructions.”).

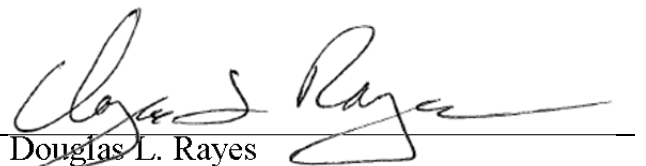
11 **IT IS ORDERED** that Magistrate Judge Aspey’s R&R (Doc. 41) is **accepted**.

12 **IT IS FURTHER ORDERED** that Petitioner’s Petition for Writ of Habeas
13 Corpus (Doc. 1) is **dismissed**.

14 **IT IS FURTHER ORDERED** that the Clerk of Court shall **terminate** this action.

15 Dated this 16th day of April, 2015.

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Douglas L. Rayes
United States District Judge